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**UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA**

9 Mi Familia Vota, et al.,
10 Plaintiffs,
11 v.
12 Adrian Fontes, et al.,
13 Defendants

Case No. 2:22-cv-00509-SRB
(Lead)

**ARIZONA SECRETARY OF STATE
ADRIAN FONTES' TRIAL
MEMORANDUM**

(Before the Hon. Susan R. Bolton)

AND CONSOLIDATED CASES.

No. CV-22-00519-PHX-SRB
No. CV-22-01003-PHX-SRB
No. CV-22-01124-PHX-SRB
No. CV-22-01369-PHX-SRB
No. CV-22-01381-PHX-SRB
No. CV-22-01602-PHX-SRB
No. CV-22-01901-PHX-SRB

22 The Arizona Secretary of State, Adrian Fontes (“Secretary Fontes”), hereby submits
23 his trial memorandum as ordered by the Court (Doc. 485). Consistent with Secretary
24 Fontes’ position throughout the entirety of this case, although named as a Defendant, he
25 has not taken a substantive position as to the claims and defenses at issue in this litigation
26 and his participation in this litigation has been as a nominal party. He has, however,
27 participated in costly and extensive discovery to the extent necessary to help this case reach
28 a full adjudication before the next scheduled primary election.

Secretary Fontes intends to maintain his nominal position at trial, unless his more substantive involvement becomes required by the Court or necessary by the issues, arguments, or evidence raised by the other parties during trial. Moreover, his counsel will attend trial unless this Court gives them leave to be absent.

RESPECTFULLY SUBMITTED: October 19, 2023.

SHERMAN & HOWARD L.L.C.

By /s/ Craig A. Morgan
Craig A. Morgan
Shayna Stuart
*Attorneys for Defendant Arizona
Secretary of State Adrian Fontes*

CERTIFICATE OF SERVICE

I hereby certify that on October 19, 2023, I caused a true and correct copy of the foregoing document, to be filed with Clerk of the Court of the United States District Court for the District of Arizona using the CM/ECF filing system. Counsel for all parties who have appeared will be served by the CM/ECF system pursuant to the notice of electronic filing.

/s/ *Ella Meshke*